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Attorney for Defendants Fire & Trucking and
Cheryl Owens as an individual

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DEMITRUS COOPER *on behalf himself and on behalf and
others similarly situated in the proposed FLSA Collective
Action,*

Civil Action No.: 23-CV-01675-KAM-TAM

Plaintiff,

**DECLARATION OF
SHAWN PONDS**

vs.

FIRE & ICE TRUCKING CORP., and CHERYL OWENS

Defendants.

I, SHAWN PONDS, hereby declare and state as follows:

1. I serve as the operations and route manager for Fire & Ice Trucking Corp. ("Fire & Ice"). In that capacity, I am responsible for managing the company's routes, supervising drivers, coordinating daily operations, and handling related logistics, including drivers scheduling and time sheets. I make this declaration based on my firsthand knowledge of the company's operations and records.

2. This declaration is submitted in compliance with the Court's June 11, 2025, Order requiring Defendants to (a) produce all documents concerning or referring to Plaintiff in their possession, custody, or control, and (b) file an affidavit confirming that a diligent search has been completed and that no responsive documents are being withheld.

3. After a thorough search of all electronic and physical repositories maintained by Fire & Ice and FedEx, we located the following categories of documents that concern or reference Plaintiff Demitrus Cooper:

- a. Scanner reports, W-2's and Pay Stubbs for Demetrius Cooper, from the records of Fire & Ice Corp.

4. Following the search described above, no other responsive documents, data, or communications concerning or referring to Plaintiff remain in the possession, custody, or control of Fire & Ice or Cheryl Owens.

5. As of this date, Defendants are waiting for Fed Ex to return the Subpoena with the requested information, so it is not included herein. As soon as that information is received, it will be filed with the Court.

6. Should any additional responsive material come to light, I will immediately notify counsel so that it can be produced to Plaintiff and filed with the Court.

I Certify that the above information is true and correct to the best of my knowledge under penalty of perjury.

Dated: Brooklyn, New York
June 25, 2025


SHAWN PONDS